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OFFICE OF PETITIONS

In re Application of :
Abu K. Eghan, et al. :
Application No. 09/879,875 :
Filed: June 11, 2001 :
Attorney Docket No. X-901 US :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 16, 2004, to revive the above-identified application.

The petition is **GRANTED**.

A final Office action was mailed on January 17, 2003, which set a three-month shortened statutory period for reply. Since no reply was received and no extensions of time under the provisions of 37 CFR 1.136(a) were obtained, the application became abandoned on April 18, 2003.

A reply was submitted on June 24, 2003 and an Advisory Action was mailed on July 14, 2003, informing applicant that the amendment did not place the application in condition for allowance.

Subsequently, a second amendment was submitted on July 22, 2003. A "Notice of Allowance and Fee(s) Due" was mailed to applicant on March 4, 2004. However, both amendments were submitted after the application became abandoned. Accordingly, the Office erred in mailing the Notice of Allowance and Fee(s) Due. As a result, the Technology Center Director withdrew the application from issue.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) a proper reply; (2) the petition fee of \$1330; and (3) an adequate statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3223.

This matter is being referred to Technology Center 2800.

A handwritten signature in cursive script, reading "Marianne E. Jenkins".

Marianne E. Jenkins
Petitions Examiner
Office of Petitions